

**MINUTES FOR THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

June 1, 2006

DIVISION ONE

B170157 Onofre Serrano (Not for Publication)

v.
Kevin Large et al.

The July 25, 2003 judgment of dismissal is reversed, and the matter is remanded with directions to afford Serrano an opportunity to file an amended complaint. Each party shall bear his or her own costs on appeal.

Mallano, J.

We concur: Spencer, P.J.
 Rothschild, J.

B184214 People (Not for Publication)

v.
David J.

The conditions of probation are modified to reflect that David (1) is not to associate with anyone he knows is disapproved of by his parents or probation officer; (2) stay away from places he knows drug users congregate; and (3) not be in the presence of anyone he knows is illegally armed. The clerk's minutes are modified to reflect that count 2 of the May 31, 2005 petition was dismissed and to strike the listed maximum confinement time. The case is remanded to the juvenile court to prepare amended minutes reflecting these modifications. In all other respects, the judgment (order of wardship) is affirmed.

Rothschild, J.

We concur: Spencer, P.J.
 Vogel (Miriam A.), J.

DIVISION ONE (Continued)

B182480 Crusader Insurance Company (Not for Publication)
 v.
 Harry W. Gorst Company, Inc.

The judgment is affirmed. Respondent(s) to recover costs.

Rothschild, J.

We concur: Vogel (Miriam A.), Acting P.J.
 Mallano, J.

B182647 People (Not for Publication)
 v.
 Lydia Sylvia Bernal

The judgment is affirmed.

Rothschild, J.

We concur: Spencer, P.J.
 Vogel (Miriam A.), J.

B180152 Zelman et al. (Not for Publication)
 v.
 Colonial Penn Insurance Company

The summary judgment is reversed. The matter is remanded with directions to the trial court to vacate its summary adjudication order and to enter an order denying summary judgment. The Zelmans shall recover their costs on appeal.

Mallano, J.

I concur: Spencer, P.J.
I concur and dissent: Rothschild, J.

DIVISION TWO

B182230 Whitney (Not for Publication)

v.

Playboy Entertainment Group, Inc.

The judgment is affirmed. Respondent shall receive costs of appeal.

Chavez, J.

We concur: Boren, P.J.
Doi Todd, J.

B186771 Los Angeles County, D.C.S. (Not for Publication)

v.

Patricia C.

The orders of the juvenile court are affirmed.

Chavez, J.

We concur: Boren, P.J.
Ashmann-Gerst, J.

B184298 People (Not for Publication)

v.

Stanley

The judgment is affirmed.

Chavez, J.

We concur: Boren, P.J.
Ashmann-Gerst, J.

DIVISION THREE

B184043 Tortorella (Certified for Publication)
 v.
 Castro

The order granting a new trial is affirmed. Tortorella shall recover costs on appeal.

Klein, P.J.

We concur: Croskey, J.
 Aldrich, J.

B184547 Scott Brothers Dairy, Inc. (Not for Publication)
 v.
 Zavala

The order is affirmed.

Aldrich, J.

We concur: Croskey, Acting P.J.
 Kitching, J.

DIVISION FOUR

B185902 People (Certified for Partial Publication)
 v.
 Romero

The judgment is affirmed.

Epstein, P.J.

We concur: Willhite, J.
 Hastings, J. (Assigned)

DIVISION FOUR (Continued)

B183118 Moon (Not for Publication)
v.
McFarland et al.

The purported appeal from the order denying the section 170.6 motion is dismissed. The order imposing discovery sanctions is affirmed. Respondents are to recover their costs on appeal.

Epstein, P.J.

We concur: Willhite, J.
Hastings, J. (Assigned)

B186222 Pinedo et al. (Not for Publication)
v.
Pinedo et al.

The order vacating the dismissal is reversed.

Hastings, J. (Assigned)

We concur: Epstein, P.J.
Willhite, J.

B181474 Pohill et al. (Not for Publication)
v.
The County of Los Angeles et al.

The judgment is affirmed. Respondent(s) to recover costs.

Hastings, J. (Assigned)

We concur: Epstein, P.J.
Willhite, J.

DIVISION FOUR (Continued)

B181202 Bellini's Food Corporation et al. (Not for Publication)
 v.
 Restaurant Kitchen Services & Consulting et al.

The judgment is affirmed. Respondent(s) to recover costs.

Hastings, J. (Assigned)

We concur: Epstein, P.J.
 Willhite, J.

DIVISION FIVE

B180685 Guy Rollins (Not for Publication)
 v.
 Charlene Hall

The judgment is affirmed. Respondent(s) to recover costs.

Mosk, J.

We concur: Turner, P.J.
 Armstrong, J.

B183401 People (Not for Publication)
 v.
 Robert Prince

The judgment is affirmed.

Mosk, J.

We concur: Armstrong, Acting P.J.
 Kriegler, J.

June 1, 2006 (Continued)

DIVISION FIVE (Continued)

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The judgment is affirmed.

Armstrong, Acting P.J.

We concur: Mosk, J.
Kriegler, J.

DIVISION SIX

B79384 People (Not for Publication)
v.
Quinn

The judgment (order of Commitment).is affirmed.

Perren, J.

We concur: Gilbert, P.J.
 Coffee, J.

B186519 San Luis Obispo (Not for Publication)
 Department of Social Services
 v.
 Roselle W.

The order of the juvenile court is affirmed.

Perren, J.

We concur: Yegan, Acting P.J.
Coffee, J.

DIVISION SEVEN

Court convened at 9:00 a.m.

Present: Perluss, P.J., Johnson, J., Woods, J. and Eva McClintock, Deputy Clerk.

Each of the following:

B177074	People v. Muro
B178055	People v. Nieves
B179067	People v. Alex D.
B180965	People v. Neriea P.
B182180	People v. Stokes
B182505	People v. Valcore
B182758	People v. Armand H.
B182955	People v. Onjele B.

Argument waived, cause submitted.

B185916	People v. Shaw
B186661	People v. Rodriguez

Merits:

Counsel for appellants did not agree to stipulate to Justice Zelon's participation by listening to audio recording of oral argument. The cases is continued to another calendar.

B178171	People v. Newburn
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Merits:

Argued by Maxine Weksler for appellant and by Susan Frierson, Deputy Attorney General for respondent. Parties stipulate to Justice Zelon's participation by listening to audio recording of oral argument. Cause submitted.

DIVISION SEVEN (Continued)

B182020 People
 v.
 Torres

Merits:

Argued by Thomas Ono for appellant and by Daniel Chang, Deputy Attorney General for respondent. Appellant Quintana waived oral argument. Parties stipulate to Justice Zelon's participation by listening to audio recording of oral argument. Cause submitted.

B184839 People
 v.
 Ford

Merits:

Counsel for appellant failed to calendar this case for oral argument and requests that it be re-calendared. Deputy Attorney General Breen does not oppose re-calendaring. Matter continued.

B183431 People
 v.
 Reynolds

Merits:

Argued by Matthew Alger for appellant and by Lauren Dana, Deputy Attorney General for respondent. Cause submitted.

B182317 Chen
 v.
 Cheng

Merits:

Argued by Frederick Seymour for appellant and by Dayton Parcels for respondent. Cause submitted.

DIVISION SEVEN (Continued)

B182739 Sheffield Leasing, Inc.,
 v.
 Kerzner et al.,

Merits:

Argued by Robert Scapa for appellant and by Steven Berardino for respondents. Cause submitted.

B181786 Gray
 v.
 Saxon Group, Inc.,
 Air Products & Chemicals

Merits:

Argued by Stuart Esner for appellant and by Bradley Pauley and Jules Zeman for respondents. Parties stipulate to Justice Zelon's participation by listening to audio recording of oral argument. Cause submitted.

Court recessed at 11:39 a.m.

Court reconvened at 1:30 p.m.

Present: Perluss, P.J., Johnson, J., Woods, J. and Eva McClintock, Deputy Clerk.

B185402 Cavalier et al., v. Girardi & Keese

Argument waived, cause submitted.

B183117 Schwartz
 v.
 Los Angeles County Child Support Services

Merits:

Argued by Anthony Roach for appellant and by Fesia Davenport for respondent. Cause submitted.

DIVISION SEVEN (Continued)

B185477 Kobler
 v.
 Superior Court, Los Angeles County
 (Culver City Police et al., r.p.i.)

Merits:
Argued by Mark Harvis, Deputy Public Defender for petitioner and by
Heather Iker and Kim Westhoff, Deputies City Attorney for real parties in
interest. Cause submitted.

B187907 In re Mario Chen
 On
 Habeas Corpus

Merits:
Argued by Kiana Sloan-Hillier for petitioner and by Laura Kessner, Deputy
District Attorney for respondent. Cause submitted.

B180881 Matthew-Deaton et al.,
 v.
 El Torito Restaurants et al.,

Merits:
Argued by Roy Weatherup for appellants and by Jason Oliver for
respondents. Cause submitted.

Court adjourned.

DIVISION EIGHT

B180134 Joaquin Camacho
 v.
 Automobile Club of Southern California et al.,
 Bell Corporation of America

Filed order granting petition for rehearing. Appellant's petition for
rehearing is denied. The case will be deemed submitted on July 6, 2006.